

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD NELSON,

Defendant.

Case No.: 3:20-CR-00020-LRH-CSD

MINUTE ORDER

Date: OCTOBER 3, 2022

PRESENT: THE HONORABLE LARRY R. HICKS, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: NONE APPEARING REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the Court is Defendant Richard Nelson's ("Nelson") Unopposed Motion for Copies of the Privileged Administrative docket for Appellate Purposes (ECF No. 76). Nelson is requesting copies of the "non-public docket sheet" to effectively determine which sealed or restricted documents are necessary to accurately provide and cite to the record on appeal.

The Court does not have a "non-public docket sheet." The Court notes that when a sealed or restricted access document is filed on the docket it is identified by an omitted docket entry number. In this case the following document docket entry numbers are omitted:

- [5] 04/14/20 – Sealed Financial Affidavit of Richard Nelson,
- [24] 05/19/20 – Sealed Arrest Warrant for Richard Nelson,
- [56] 04/26/2022 – Sealed Sentencing Exhibit to [53] Sentencing Memorandum,
- [58] 04/27/2022 – Sealed Motion to Seal and Proposed Sealing Order, and
- [61] 05/02/2022 – Sealing Order Government's Exhibit 1 – Audio Interview of R. Nelson 4/11/2022 [ECF No. 54].

Docket Entry numbers (ECF Nos. 70-75) are transcripts of proceedings which Nelson requested (ECF No. 69).

The Court's Privileged Administrative docket is an administrative record that contains communications between court personnel to assist Article III judges with the deliberative process and that process is subject to judicial privilege. For that reason, the communications within the Privilege Administrative docket are not available for the record on appeal. Accordingly,

IT IS ORDERED that Nelson's motion for copies of the Privileged Administrative docket (ECF No. 76) is GRANTED in part. The Clerk of the Court shall provide copies of docket entries (ECF Nos. 5, 24, 56, 58 and 61) to Amy B. Cleary, Assistant Federal Public Defender and Elizabeth O. White, Assistant United States Attorney.

IT IS FURTHER ORDERED that Nelson's motion for copies of the Privileged Administrative docket sheet is DENIED without prejudice.

IT IS SO ORDERED.

DEBRA K. KEMPI, CLERK

By: /s/

Deputy Clerk